

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MARCELLUS JONES,  
Petitioner,**

v.

**TABB BICKELL,  
THE ATTORNEY GENERAL OF THE  
STATE OF \_\_\_\_\_, and  
THE DISTRICT ATTORNEY OF  
PHILADELPHIA,  
Respondents.**

**CIVIL ACTION**

**NO. 13-1008**

**O R D E R**

AND NOW, this 5th day of June, 2014, upon consideration of *pro se* Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody, filed by *pro se* petitioner, Marcellus Jones, the record in this case, and the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter dated April 15, 2014, no objections to the Report and Recommendation having been filed, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Thomas J. Rueter dated April 15, 2014, is **APPROVED AND ADOPTED**;
2. The Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody, filed by *pro se* petitioner, Marcellus Jones, is **DISMISSED AND DENIED**;
3. Petitioner's request for appointment of counsel is **DENIED**; and,
4. A certificate of appealability will not issue because reasonable jurists would not debate (a) this Court's decision that the petition does not state a valid claim of the denial of a constitutional right, or (b) the propriety of this Court's procedural rulings with respect to petitioner's claims. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

**BY THE COURT:  
/s/ Hon. Jan E. DuBois**

**DuBOIS, JAN E., J.**